

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KHALIL A. GILMORE,
Petitioner,

v.

CITY OF PHILADELPHIA,
Defendant.

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Civ. No. 13-3944

ORDER

AND NOW, this 14th day of November, 2013, upon consideration of Khalil Gilmore's "Petition for Writ of Habeas Corpus" filed pursuant to 28 U.S.C. § 2241 and the Report and Recommendation of the Magistrate Judge, to which no objections have been filed, it is hereby **ORDERED** as follows:

1. The Report and Recommendation (Doc. No. 6) is **APPROVED** and **ADOPTED**;
2. The "Petition for Writ of Habeas Corpus" (Doc. No. 1) is **DISMISSED** without prejudice; and
3. A certificate of appealability shall not issue.

AND IT IS SO ORDERED.



Paul S. Diamond, J.